

Staff Summary Report

City Council Meeting: 05/19/05

AGENDA ITEM NUMBER 63

SUBJECT: This is an introduction and first public hearing for Kirkland-McKinney Ditch for the historic designation of the Kirkland-McKinney Ditch, located at 1403 East 8th Street and 902 South Una Avenue. The second public hearing is set for June 2, 2005.

DOCUMENT NAME: 20050519dsrl04

PLANNED DEVELOPMENT (0406)

COMMENTS: Introduce and hold the first public hearing for **KIRKLAND-MCKINNEY DITCH** (Tempe Historic Preservation Commission, applicant) **Ordinance No. 2005.20 #HPO-2005.31** for the historic designation of the Kirkland-McKinney Ditch, located at 1403 East 8th Street and 902 South Una Avenue.

REVIEWED UNDER: **ZONING ORDINANCE 808**

PREPARED BY: Ryan Levesque, Planner II (480-858-2393)

REVIEWED BY: Steve Venker, Planning and Zoning Manager (480-350-8920)



LEGAL REVIEW BY: N/A

RECOMMENDATION: **Staff** – Approval.
Historic Preservation Commission – Approval (6-0 vote).
Planning and Zoning Commission – Approval (7-0 vote).

ADDITIONAL INFO: This request is for the historic designation of the Kirkland-McKinney Ditch. Located on the south side of 8th Street between Gary Drive and Una Avenue, the area includes a northern portion of property on a single-family lot at the corner of Una Avenue and 8th Street, and the northern portion of an existing apartment complex at the corner of Gary Drive and 8th Street.

The Kirkland-McKinney Ditch is a man-made channel constructed for conveying and distributing water. The canal was built circa 1870 as one of the first organized attempts to irrigate lands south of the Salt River. In the mid-20th Century, Salt River Project began an extensive piping campaign placing most of the system underground. The subject section is one of only two small segments of the waterway remaining as open ditch. The Kirkland-McKinney Ditch is significant for its association with the earliest agricultural efforts undertaken in the Tempe irrigation district, and as the oldest remaining original man-made waterway still in use in the Salt River Valley.

Staff supports the request for the historic designation of the Kirkland-McKinney Ditch and recommends to the Planning and Zoning Commission and City Council that the property be designated as Tempe Historic Property. **At a public hearing held Thursday, April 07, 2005, the Tempe Historic Preservation Commission approved a recommendation to the Planning and Zoning Commission for this request. At the April 26, 2005 public hearing, Planning Commission recommended approval of this request.**

ATTACHMENTS:

1. List of Attachments
- 2-4. Comments
4. Reason(s) for Approval
5. History & Facts Description

- A. Ordinance No. 2005.20
- B. Location Map
- C. Aerial Photo
- D. Letter of Explanation
- E. References / Photos
- F. Historic Preservation Commission recommendation

COMMENTS:

Background + Status

On February 14, 2005, Barbra Worthington, Chair of the University Heights Neighborhood Association, submitted an application for designation of the historic 1871 Kirkland-McKinney Ditch on the Tempe Historic Property Register. This submittal was in response to a presentation by the Tempe Historic Preservation Commission to approximately 20 neighborhood association members on February 10, 2005, where the eligibility of the structure was communicated to property owners, who then reached consensus to bring forward an application.

The Kirkland-McKinney Ditch is identified in the Tempe Multiple Resource Area Update as eligible for designation as an historic property.

History + Context

In late 1867, J. W. "Jack" Swilling and several other men living in Wickenburg formed a canal company to build a channel on the north bank of the Salt River. These men would be the first to irrigate in the Valley during the historic period, and this project, along with a few others that followed the next year, helped precipitate the founding of the Phoenix townsite.

Approximately two years later, a pair of homesteaders, William H. Kirkland and James B. McKinney were directing the construction of the first irrigation ditch on the south side of the Salt River to irrigate their lands on the east side of Tempe Butte in Sections 15 and 22. Both men had been part of the original Swilling Company.

The success of the Swilling projects prompted other pioneers, including Charles Trumbull Hayden, to claim rights to lands along the Salt River and to begin construction of additional canals. On November 17, 1870, Hayden gave notice of the formation of the Hayden Milling and Farming Ditch Company, and recorded his claim to portions of Section 15, noting work had begun on the project. On December 6, 1870, the Hardy Irrigating Canal Company was formed by Swilling and others to provide water for other farming ventures south of the river, which by their prosperity would come to ensure the success of Hayden's flouring mill operation.

On January 28, 1871, the Tempe Irrigating Canal Company was formed to develop the Kirkland-McKinney Ditch into a network of canals to bring thousands of acres to the south under cultivation. About the same time, Mexican farmers a few miles to the west completed the San Francisco Canal and began irrigating lands to the south and west, toward the Salt River Mountains (South Mountain). By 1871, this south-side area, which included several small settlements, was known as Tempe or Rio Salado.

On January 28, 1871, the Hardy Canal Company was reorganized as the Tempe Irrigating Canal Company, with Granville H. Oury, a territorial legislator and friend of Hayden's from Tucson, as its president. In the spring of 1871, the three separate ventures combined their efforts to construct canals to all of their lands and to the Hayden Mill site. This unincorporated association of irrigators would last more than fifty years. Both Hayden and the Kirkland-McKinney party abandoned their plans for separate canal heads on the river. Instead the Tempe Irrigating Canal Company built a canal head about five miles upstream from the butte, and the Kirkland-McKinney Ditch was made a private right-of-way branch of the Tempe Canal. Water supply to power the Hayden Flour Mill was provided by an extension of the Kirkland-McKinney Ditch West around the butte. These early agricultural improvements, together with the construction of Hayden's store on the west side of the butte in late 1871, constituted the beginning of the Tempe settlement.

Association with events significant to broad patterns of history

The Kirkland-McKinney Ditch is significant for its association with the earliest agricultural efforts undertaken in the Tempe vicinity, and as the oldest remaining original man-made waterway still in use in the Salt River Valley today. The canal was built circa 1870 as one of the first organized attempts to irrigate lands south of the Salt River.

In 1872, a new community was established just east of Hayden's Ferry by Mexican laborers who had worked on the Kirkland-McKinney Ditch. William Kirkland donated the 80-acre townsite. The Arizona Citizen reported: The Tempe people, not satisfied with Hayden's Ferry, have laid out a new town just along side named San Pablo and the proceeds of the sale of the town lots is to be devoted to the building of a Catholic church.

By 1872, three branches had been extended off of the Kirkland-McKinney Ditch: the Hayden Ditch, which brought water to the site where Hayden's Flour Mill was being built; the Western Branch, which served the area to the southwest; and the Spanish Ditch, which started one and a half miles down the Western Branch and went to the settlement of San Pablo.

Association with lives of persons significant in our past

William H. Kirkland (1832-1910) was a well known Arizona pioneer who played an important role in the founding of Tempe. He arrived in Tucson in January of 1856, just as the United States was taking possession of the area from Mexico after the Gadsden Purchase. Kirkland had a contract to supply army camps with lumber and provisions. He raised cattle in the Santa Cruz Valley for a few years, but often lost most of his herd to raiding Apaches. Kirkland left the Tucson area and traveled throughout the Southwest. He discovered gold in 1863 in the area now known as Kirkland Valley.

By 1870, he moved to Salt River Valley and joined with James B. McKinney to direct construction of the first irrigation ditch on the south side of the Salt River. He joined the original Hardy Irrigating Canal Company that was formed in 1870 to extend the Kirkland-McKinney Ditch, and then became a member of the Tempe Irrigating Canal Company, which eventually completed the job of developing a network of irrigation canals throughout the area. Kirkland built a home in the Tempe area, and started a farm just east of Tempe Butte. In 1872 he donated an 80-acre site on the south side of Tempe Butte for a new Hispanic settlement called San Pablo. He served as the local justice of the peace, and was elected to the Maricopa County Board of Supervisors, but two years later he resigned his posts and moved on to Silver City, New Mexico, and then on to Texas, where he went into the cattle business. Kirkland later returned to Tempe shortly before his death in 1910. He is buried in Double Butte Cemetery.

William Kirkland married Missouri Ann Bacon in 1860. He was the father of three sons and four daughters. His first daughter, Lizzie Kirkland Steele, was always considered to be the first white child born in Arizona.

Distinctive characteristics of a type, period, or method of construction

The Kirkland-McKinney Ditch is a manmade channel constructed for conveying and distributing water. The original earth structure varied in depth from 6 feet to 12 feet, and was approximately 20 feet wide. The length of the original canal was about 2070 feet and extended from the culvert mouth on the west side of McClintock Road westward along the south side of the Bankhead Highway (HPS-229). In the mid-20th Century, Salt River Project began an extensive piping campaign placing most of the system underground. The subject section is one of only two small segments of the waterway remaining as open ditch.

The water in the open ditch was diverted into culverts below two road crossings, one at Una Avenue, and one at Gary Drive. Adjacent canal segments have been placed underground, however, the integrity of the open canal location and setting, including extant flora, fauna, and related structures, still conveys its historic associations as the oldest man-made waterway in the Salt River Valley.

Several of the approximately 30 to 40 mature cottonwood trees that originally lined the banks of the canal survive and are significant character defining features of the property. Additional vegetation, sometimes growing in dense clusters, provides the setting for a small riparian community at portions of the ditch.

Significant structures appurtenant to the canal included the original concrete bridge for the Bankhead Highway crossing (near McClintock Road), two additional concrete slab bridges, two wood plank bridges approximately 8 feet in width, the ruins of the concrete and cobble bulkheads of a third wood plank bridge, and a concrete lock with two steel gates.

Likely to yield, information important in prehistory or history

The ditch exists in an area known to be archaeologically sensitive to the City of Tempe. This site occurs within the boundaries a large, previously recorded prehistoric habitation site called La Plaza (AZ U:9:165 [ASM]), portions of which are known to contain buried cultural remains associated with the Hohokam culture. Additionally, the continued presence of the historic structures in situ and relatively undisturbed indicates potential to provide additional information about this brief period in Arizona settlement history, the historic establishing of the earliest communities on the south banks of the Salt River.

Summary

The Kirkland- McKinney Ditch is significant for its association with the earliest agricultural efforts undertaken in the Tempe district, and as the oldest remaining original man-made waterway still in use in the Salt River Valley. The ditch was built by Tempe Pioneers concurrent with a series of events which marked the beginning of the first organized attempts to irrigate lands south of the Salt River. This ditch, which represents a unique and rare example of early waterway construction, is both important and highly significant and should be protected and preserved.

Recommendations

Staff recommends to the Planning and Zoning Commission and City Council that the Kirkland-McKinney Ditch be designated as a Tempe Historic Property (#25) and Historic Overlay Zoning be applied to the properties.

REASON(S) FOR APPROVAL:

1. The subject property meets the following criteria for designation, as found in section 14A-4 of the Tempe City Code.
 - (a) The following criteria are established for designation of an individual property, building, structure or archeological site:
 - (1) It meets the criteria for listing on the Arizona or national register of historic places;
 - (2) It is found to be of exceptional significance and expresses a distinctive character, resulting from:
 - a. A significant portion of it is at least fifty (50) years old; is reflective of the city's cultural, social, political or economic past; and is associated with a person or event significant in local, state or national history; and
 - b. It represents an established and familiar visual feature of an area of the city, due to a prominent location or singular physical feature.
2. The Historic Preservation Commission recommends approval for the nomination that the Kirkland-McKinney Ditch be designated as a historic property and listed on the Tempe Historic Property Register.
3. A portion of this area is identified on the General Plan 2030 Projected Residential Density map as a Cultural Resource Area, which are considered culturally significant to the character of Tempe, based on the 2001 Post World War II Subdivision Study.

HISTORY & FACTS:

| | |
|------------------|---|
| December 6, 1870 | The Hardy Irrigating Canal Company was formed. |
| January 28, 1871 | The Hardy Canal Company was reorganized as the Tempe Irrigating Canal Company, formed to develop the Kirkland-McKinney Ditch into a network of canals to bring thousands of acres to the south under cultivation. |
| 1997 | Ryden Architects, <i>City of Tempe Multiple Resource Area Update</i> . City of Tempe Historic Preservation Office. |
| 2001 | Scott Solliday, <i>Post World War II Subdivisions Tempe, Arizona: 1945-1960; Neighborhood & House-type Context Development</i> . Tempe Historic Preservation Commission. |
| April 26, 2005 | Planning and Zoning Commission recommended approval the request for Kirkland-McKinney Ditch for the historic designation of the Kirkland-McKinney Ditch. |

DESCRIPTION:

| | |
|-------------------|--|
| Owners – | John Kobierowski, 1403 East 8 th Street David Anderson, 902 South Una Avenue |
| Applicant – | Historic Preservation Commission |
| Existing zoning – | R-4 and R1-6 |

Kirkland-McKinney Ditch

| | |
|-------------------|-------------------|
| Total site area – | 0.19 net acres |
| Total Lots – | portion of 4 lots |

ORDINANCE NO. 2005.20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA, AMENDING THE CITY OF TEMPE ZONING MAP, PURSUANT TO
THE PROVISIONS OF ZONING AND DEVELOPMENT CODE PART 2,
CHAPTER 1, SECTION 2-106 AND 2-107, RELATING TO THE LOCATION
AND BOUNDARIES OF DISTRICTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That the City of Tempe Zoning Map is hereby amended, pursuant to the provisions of Zoning and Development Code, Part 2, Chapter 1, Section 2-106 and 2-107, by historic designation on 0.19 acres.

LEGAL DESCRIPTION

That portion of the Kirkland-McKinney Ditch lying east of Gary Drive and its northerly prolongation as shown on the plat of Carlson Park Unit Two according to Book 77 of Maps, Page 38, Maricopa County Recorder, and lying west of Una Avenue and its northerly prolongation as shown on the plat of B – H Homes according to Book 76 of Maps, Page 2, Maricopa County Recorder.

TOTAL AREA IS 0.19 GROSS ACRES.

Section 2. Further, those conditions of approval imposed by the City Council as part of **Case #HPO-2005.31** are hereby expressly incorporated into and adopted as part of this ordinance by this reference.

Section 3. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this _____ day of _____, 2005.

Mayor

ATTEST:

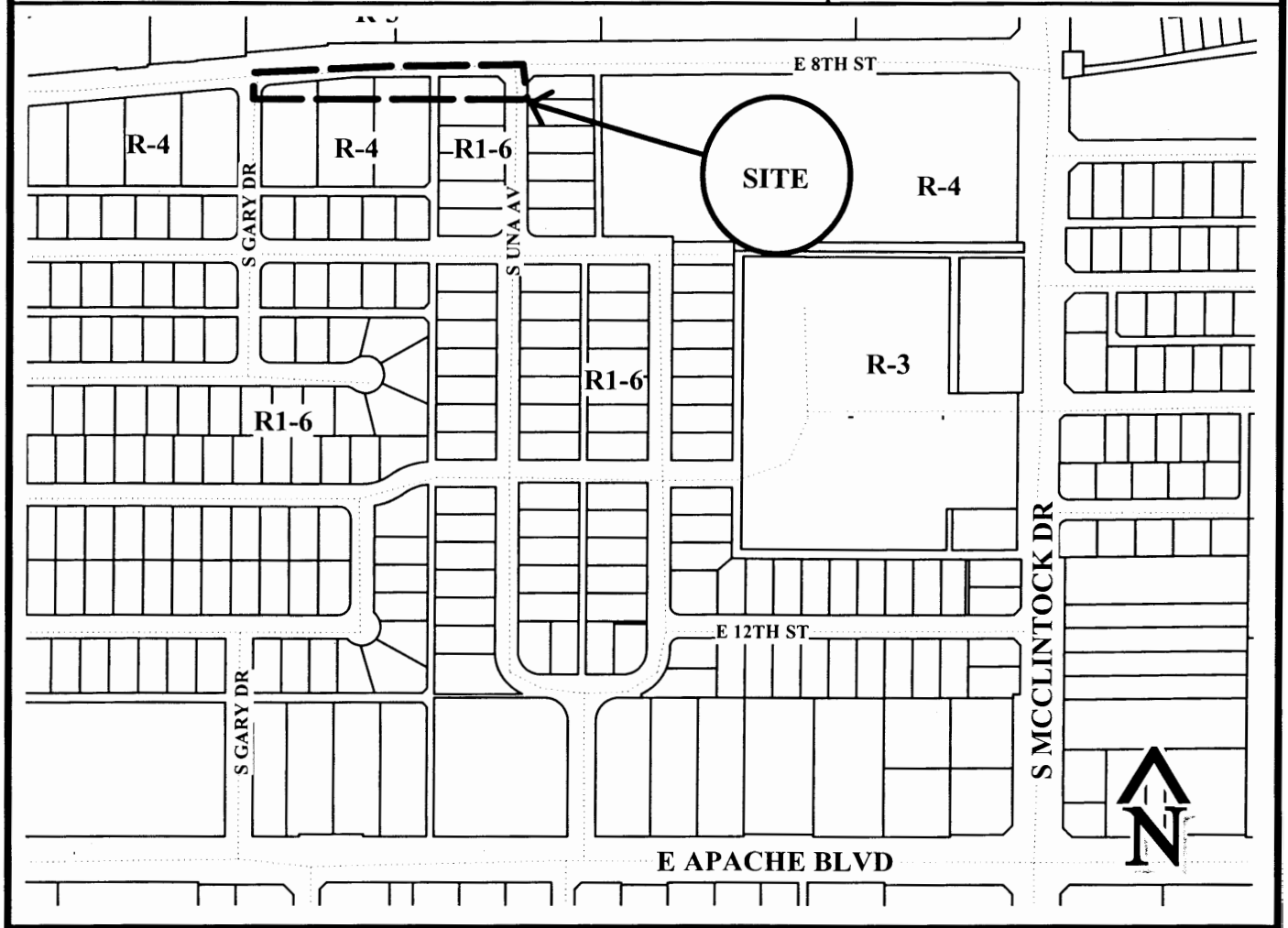
City Clerk

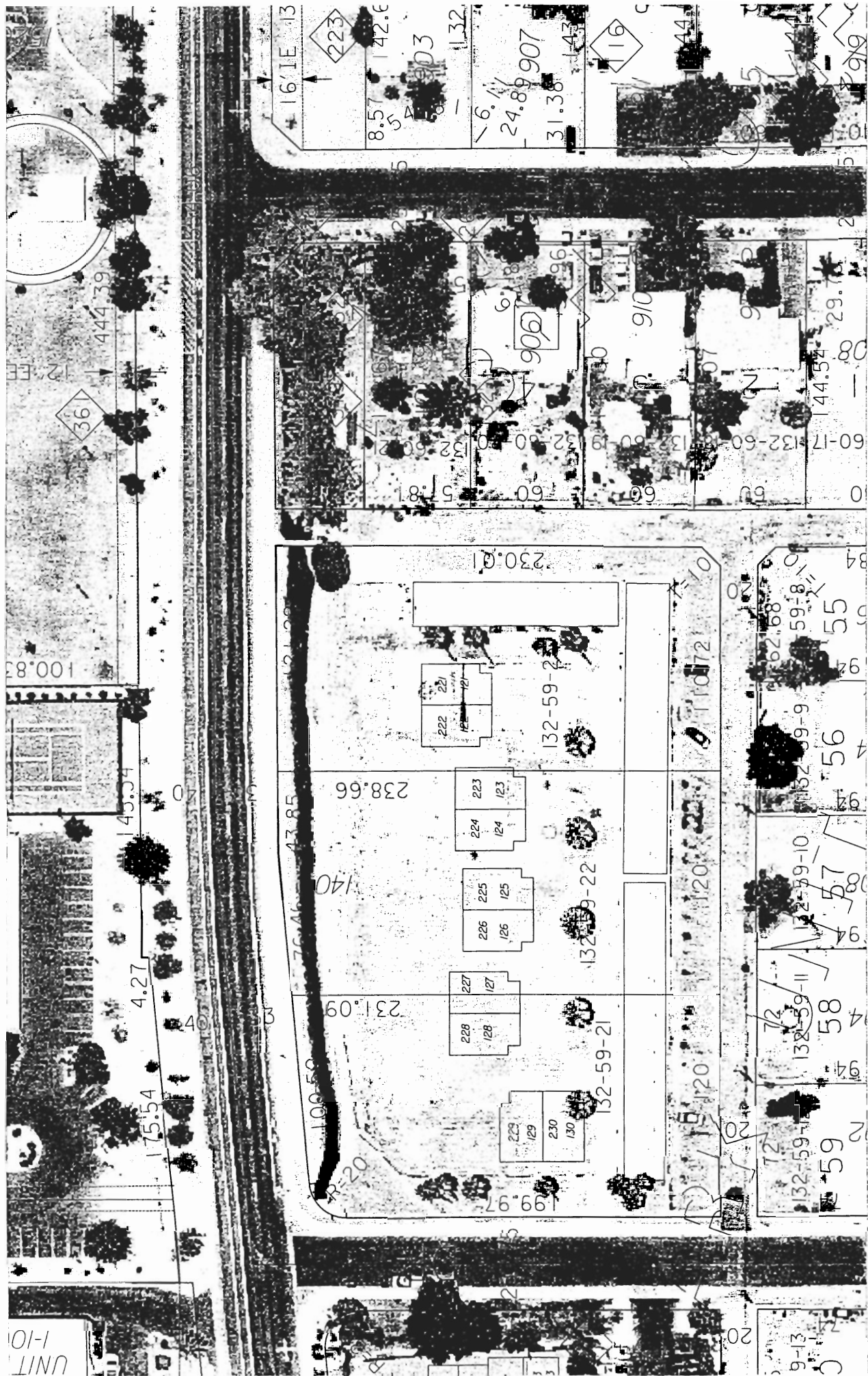
APPROVED AS TO FORM:

City Attorney

KIRKLAND McKINNEY DITCH

HPO-2005.31





February 11, 2005

Historic Preservation Officer
City of Tempe
Development Services Department
P.O. Box 5002
Tempe, Arizona 85280

Dear Mr. Nucci:

The North boundary of University Heights Neighborhood is 8th Street, West, Dorsey, South, Apache Boulevard and East is McClintock. This area is also comprised of the Borden Homes Subdivision of which historic designation is being also requested. 8th Street is where the last remaining above ground irrigation ditch that contributes to our neighborhoods irrigation history is located. Along side the Old Bankhead Highway, aka 8th Street which was built in 1919 is the Kirkland-McKinney ditch. A delivery system that contributed to our mature landscaping that gives our homes that warm welcome sense of wanting to live on each street.

The stretch of the ditch, West of Gary Street and East of Una Street has been enjoyed by neighbors and passers-by for many years. People have been able to enjoy the wildlife, under and on top of the water, that frequent this open ditch. This is a water source for the birds who inturn inhabit our neighborhood trees. Yearly water foul have been found returning to nests along the shaded bank area.

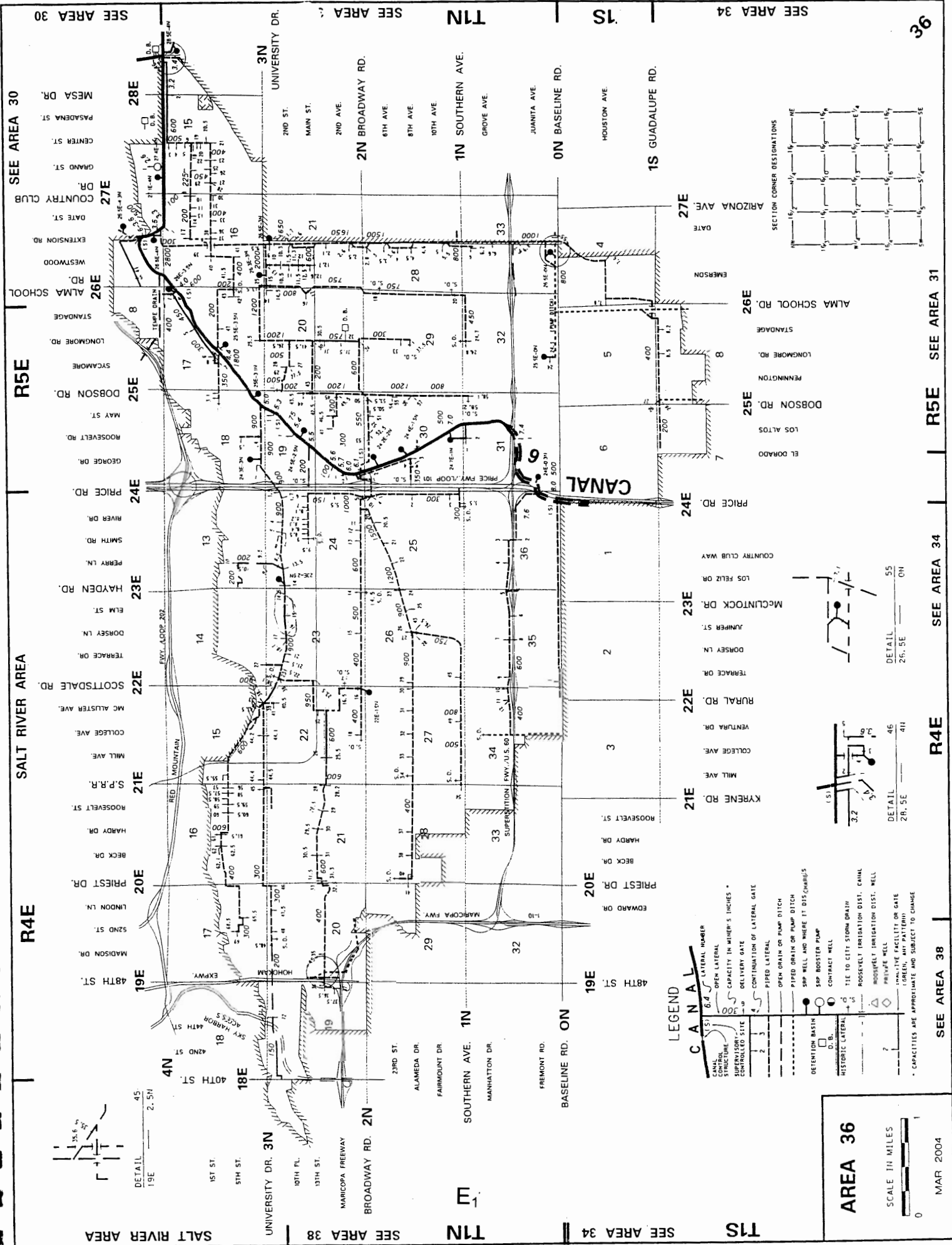
Please consider this request for this last remaining open water source to have a historic recognition. Preserve the visual history that exists thru the construction contribution of members of early Latino families. This is documented in our areas Latino History.

The ditch was once lined with cottonwood trees and the last remaining one is at Una Street and 8th Street.

Thank you for your consideration.

Sincerely,

Barbara L. Worbington, Chairperson
University Heights Neighborhood Association
1634 East 12th Street
Tempe, Arizona 85281-4359
Telephone: 480-966-1834



State of Arizona
County of Maricopa

Know All Men By These Presents:

That the Phoenix Title and Trust Company, an Arizona Corporation, Trustee, has subdivided upon the name of CARLSON PARK UNIT TWO that portion of the NW 1/4 NE 1/4 Section 23, T-1-N-R-4-E, G1S R & M Maricopa County, Arizona shown hereon and CARLSON PARK UNIT TWO location and gives the measurements and dimensions of the lots, streets and alleys contained therein and that each lot and each street shall be known by the number or name that is in Title and is shown clearly on said plat. The hereby declares to the public for use as such the streets and alleys shown on said plat and included in the above described premises. Easements are dedicated to the use shown

In witness whereof the Phoenix Title and Trust Company, its duly authorized officers and its corporate seal to be affixed by the undersigned officers hereunto duly authorized, this 9th day of June, 1960.

PHOENIX TITLE AND TRUST COMPANY AS TRUSTEE

By Charles J. King
President

Attest: W. J. King
Assistant Secretary



State of Arizona
County of Maricopa

On this, the 9th day of June, 1960 before me, the undersigned official, personally appeared Charles J. King, known to me and W. J. King who acknowledged themselves to be the President and Assistant Secretary respectively of the Phoenix Title and Trust Company, corporations duly organized under the laws of the State of Arizona. They as such officers acknowledged being duly authorized to execute the foregoing instrument for the purposes therein contained by signing the name of the corporation, as Trustees, by themselves as such officers respectively.

In witness whereof I hereunto set my hand and official seal

W. J. King
Notary Public

My Commission expires: January 1, 1961

Witness Approved by the City Council of the City of Tempe, Arizona
this 9th day of June, 1960

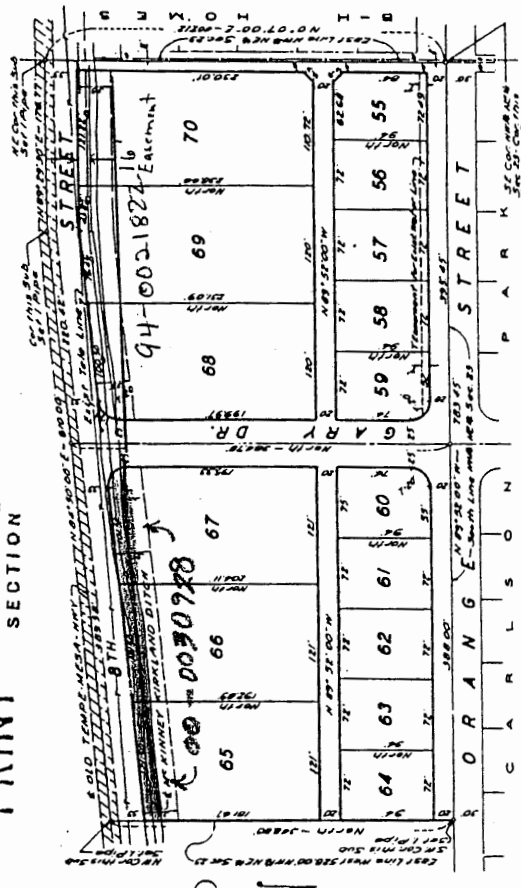
W. J. King
Mayor

Attest: W. J. King
City Clerk



REFERENCE FILE
PRINT DRAFTING
SECTION

77-38



CARLSON PARK UNIT TWO

A SUBDIVISION OF PART OF THE
NW 1/4 NE 1/4 SECTION 23
T-1-N-R-4-E, G1S R & M
MARICOPA COUNTY ARIZONA
SPARLING ENGINEERING CO.
SCALE 1-INCH = 80 FEET

This is to certify that the survey and subdivision of the premises described and plotted hereon were made upon my direction by the title men on or April 1, 1960



W. J. King
REGISTERED CIVIL ENGINEER

Attest: W. J. King
REGISTERED CIVIL ENGINEER

1-6-46

JOB NO. 4334

Street, facing east





1400 block East Old Eighth Street, facing east



Street, facing west



• T • E • M • P • E •
PRESERVATION

**HISTORIC PRESERVATION
COMMISSION**

Bob Gasser, Chair
Richard Pagoria, Vice-Chair
Mike Deskin
Joe Ewan, ASLA
Ann Patterson
Stuart Siefer, RA
Santos C. Vega, PhD.

Alternates

David Scheatzle, D.Arch., FAIA, PE
Liz Wilson

• • •

**HISTORIC PRESERVATION
OFFICER**

Joseph G. Nucci, RA



The City of Tempe is a
Certified Local Government,
in association with the United
States Department of the
Interior/National Park Service



Tempe Historic
Preservation Office
Development Services
Department
21 East 6th Street, Suite 208
P.O. Box 5002
Tempe, AZ 85280

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480.350.8028
8579 FAX; 8913TDD



Tempe Historic Preservation Commission (Tempe HPC) Tempe Historic Preservation Office

Friday, April 8, 2005

Barbra Worbrington
University Heights Neighborhood Assoc
1634 East 12th Street
Tempe, Arizona 85281

Re: Kirkland McKinney Ditch historic designation HPO-2005.31

At a public hearing held Thursday, April 07, 2005, the Tempe Historic Preservation Commission approved a recommendation to the Tempe Planning and Zoning Commission that the historic Kirkland McKinney Ditch be designated an historic property and listed on the Tempe Historic Property Register.

In accordance with the provisions of the Tempe Zoning & Development Code, the Tempe Planning and Zoning Commission will hold a public hearing on Tuesday, April 26, 2005, to take input and formulate a recommendation to Mayor and Council for historic designation. Tempe Planning and Zoning Commission meetings are held at 7:00 p.m. at the Harry E. Mitchell Government Center Tempe City Hall - City Council Chambers 31 East Fifth Street. The outcome of the P&Z hearing will form the basis for a Tempe P&Z recommendation to the Tempe City Council.

The Council will hold two additional public hearings after which they will either approve or deny this designation. Kirkland McKinney Ditch historic designation has been scheduled for public hearings at Council on May 19, and June 2, 2005. Tempe City Council meetings are held at 7:30 p.m. at the Harry E. Mitchell Government Center Tempe City Hall - City Council Chambers 31 East Fifth Street. No action will be taken at the initial public hearing as Council's purpose is simply to afford an additional opportunity for public comment. You do not need to attend the initial public hearing at Council, however, HPO respectfully requests your representation at the final step in the public process.

We realize the value of your time and energy in support of the Tempe Preservation program. Please be encouraged that your efforts can make the difference in substantial and sustained benefits to our community. Staff join with the Commission in thanking you for your participation in the conservation and enhancement of our community identity.

Respectfully,

joe_nucci@tempe.gov

Joseph G. Nucci, Historic Preservation Officer

Cc: Tempe Planning & Zoning Commission c/o Ryan Levesque, Current & Advanced Planning